

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VOLUME SERVICES INC,

No. C-13-02318 YGR (DMR)

Plaintiff(s),

**ORDER STRIKING PARTIES' JOINT
LETTER [DOCKET NO. 42]**

v.

UNITE HERE,

Defendant(s).

On January 9, 2014, the parties appeared before the undersigned for a hearing regarding the parties' joint discovery letter in which Defendant UNITE HERE! Local 2 seeks to modify the stipulated protective order in place in this case. Following the hearing, the court ordered the parties to meet and confer in person in the courthouse regarding their dispute, and to appear again in an hour and a half in order to place any agreements on the record and to argue any remaining disputes. When the court reconvened, the parties represented that they had reached some agreements but that there were remaining disputes. However, the court determined that counsel met only briefly before counsel for Defendant left to draft a unilateral letter to the court setting forth its position. Therefore, at the second hearing on January 9, the court admonished the parties for their failure to comply and ordered the parties to resume meeting and conferring in the courthouse and to submit a joint letter by 12:00 p.m. on January 10, 2014, setting forth all agreements the parties had reached and stating their respective positions regarding any remaining disputes.

1 On January 10, 2014, the parties submitted their joint letter. [Docket No. 42.] However, the
2 parties again did not comply with the court's instructions to set forth the parties' agreements, and
3 instead simply set forth their respective positions. As explained to counsel, the court ordered the
4 joint statement of agreements in order to memorialize them, and hopefully thereby to avoid further
5 conflict. Therefore, the parties' January 10, 2014 letter is hereby stricken. The parties are ordered
6 to immediately meet and confer and submit a joint letter **setting forth the parties' agreements and**
7 **describing any outstanding disputes.** The parties shall file the joint letter by no later than **12:00**
8 **p.m. on January 14, 2014.**

9 Any further failure to comply with court orders will result in sanctions.

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11 IT IS SO ORDERED.

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13 Dated: January 13, 2014

